

MAINE STATE LEGISLATURE

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M
R. 98

L.D. 1950

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DATE: 3-30-98

(Filing No. H-1115)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
SECOND REGULAR SESSION

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HOUSE AMENDMENT "J" to COMMITTEE AMENDMENT "A" to H.P. 1397, L.D. 1950, Bill, "An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and Changes to Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1998 and June 30, 1999"

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Amend the amendment by inserting after Part DDD the following:

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PART EEE

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Sec. EEE-1. 36 MRSA §1752, sub-§3-B, as amended by PL 1991, c. 846, §17, is further amended to read:

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3-B. Grocery staples. "Grocery staples" means food products ordinarily consumed for human nourishment and includes, but is not limited to, cereals and grain products, including bread, rolls and unflavored matzo; milk and milk products; oleomargarine; meat and meat products; fish and seafood products; poultry; eggs and egg products; vegetables and vegetable products, including pickles; fruit and fruit products, including fruit juices and fruit sauces; naturally flavored powdered or liquid drink mixes or drinks; spices, condiments, including jams, jellies and peanut butter, salt and sugar; coffee and tea; and unroasted nuts.

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"Grocery staples" does not include spirituous, malt or vinous liquors; soft drinks, iced tea, sodas or beverages such as are ordinarily dispensed at bars or soda fountains or in connection with bars or soda fountains; medicines, tonics, vitamins and

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HOUSE AMENDMENT "J" to COMMITTEE AMENDMENT "A" to H.P. 1397,
L.D. 1950

2 preparations in liquid, powdered, granular, tablet, capsule,
lozenge or pill form, sold as dietary supplements or adjuncts,
4 except when sold on the prescription of a physician; water,
including mineral bottled and carbonated waters and ice; dietary
6 substitutes; ~~snack-feed~~; candy and confections, chewing gum, ice
cream novelties; frozen confections; and prepared food.

8 **Sec. EEE-2. 36 MRSA §1752, sub-§14-C**, as enacted by PL 1991,
c. 591, Pt. WW, §2 and affected by §4, is repealed.

10 **Sec. EEE-3. Transfer of funds.** Notwithstanding the Maine
12 Revised Statutes, Title 5, section 1585 or any other provision of
law, the State Controller is authorized to transfer \$5,593,290
14 from the Tax Relief Fund for Maine residents to the General Fund
appropriated surplus in fiscal year 1998-99.

16 **Sec. EEE-4. Effective date.** That section of this Part that
18 amends the Maine Revised Statutes, Title 36, section 1752,
subsection 3-B and that section of this Part that repeals Title
20 36, section 1752, subsection 14-C take effect January 1, 1999.'

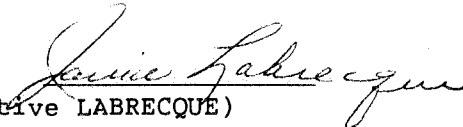
22 Further amend the amendment by relettering or renumbering
any nonconsecutive Part letter or section number to read
24 consecutively.

26 **FISCAL NOTE**

28 This amendment will have no net effect on General Fund
appropriations and revenue and a balanced budget is maintained
30 for fiscal year 1997-98 and fiscal year 1998-99.

32 **SUMMARY**

34 This amendment adds a new Part that repeals the snack tax,
36 effective January 1, 1999, but leaves intact the taxation of
those items that were taxable prior to the enactment of the snack
38 tax. This amendment funds the repeal of the snack tax by
transferring funds from the Tobacco Tax Relief Fund and the Tax
40 Relief Fund for Maine Residents.

42
44 SPONSORED BY: 
(Representative LABRECQUE)

46 TOWN: Gorham
48